United Nations S/2005/409

Security Council

Distr.: General
24 June 2005
English
Original: French

Draft resolution

The Security Council,

Recalling its previous resolutions and statements of its President relating to the situation in Côte d'Ivoire,

Recalling also its resolutions 1561 (2004) of 17 September 2004 on the situation in Liberia and 1562 (2004) of 17 September 2004 on the situation in Sierra Leone,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and *recalling* the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by the Ivorian political forces in Linas-Marcoussis on 24 January 2003 (S/2003/99) (the Linas-Marcoussis Agreement) approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, the Agreement signed in Accra on 30 July 2004 (the Accra III Agreement) and the Agreement signed in Pretoria on 6 April 2005 (the Pretoria Agreement),

Having taken note of the report of the Secretary-General of 17 June 2005 (S/2005/398 and S/2005/398/Add.1) and of his report of 2 March 2005 on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra Leone, the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire (S/2005/135),

Expressing its serious concern at the continued deterioration of the security and humanitarian situation, in particular after the dramatic events that occurred in the West of the country,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of UNOCI and of the French forces which support it shall be extended, in this specific instance, for a period of 7 months, until 24 January 2006;

2. *Decides* that UNOCI shall have the following mandate from the date of adoption of this resolution:

05-39855 (E) 240605

Monitoring of the cessation of hostilities and movements of armed groups

(a) To observe and monitor the implementation of the joint declaration of the end of the war of 6 April 2005 and of the comprehensive ceasefire agreement of 3 May 2003, to prevent, within its capabilities and its areas of deployment, any hostile action, in particular within the Zone of Confidence, and to investigate violations of the ceasefire,

(b) To liaise with the National Armed Forces of Côte d'Ivoire (FANCI) and the military elements of the Forces Nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust among all the Ivorian forces involved,

(c) To assist the Government of National Reconciliation in monitoring the borders, with particular attention to the situation of Liberian refugees and to any cross-border movement of combatants,

Disarmament, demobilization, reintegration, repatriation and resettlement

(d) To assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to assist in ensuring the security of their disarmament, cantonment and demobilization sites,

(e) To support the Government of National Reconciliation in the implementation of the national programme for the disarmament, demobilization and reintegration of combatants, paying special attention to the specific needs of women and children,

(f) To coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, paying special attention to the specific needs of women and children, in support of the efforts of the Government of National Reconciliation and in cooperation with the Governments concerned, relevant international financial institutions, international development organizations and donor nations,

(g) To ensure that the programmes mentioned in paragraphs (e) and (f) take into account the need for a coordinated regional approach,

(h) To secure, neutralize or destroy any weapons, ammunition or any other military materiel surrendered by the former combatants,

Disarmament and dismantling of militias

(i) To assist the Prime Minister of the Government of National Reconciliation in formulating and monitoring the implementation of the Joint Operation Plan for the disarmament and dismantling of militias envisaged in article 4 of the Pretoria Agreement,

(j) To secure, neutralize or destroy all weapons, ammunition and other military materiel surrendered by militias,

Protection of United Nations personnel, institutions and civilians

(k) To protect United Nations personnel, installations and equipment, ensure the security and freedom of movement of United Nations personnel and, without

prejudice to the responsibility of the Government of National Reconciliation, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment,

(l) To support, in coordination with the Ivorian and South African authorities, the provision of security for members of the Government of National Reconciliation,

Monitoring of the arms embargo

(m) To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), in cooperation with the Group of Experts established under resolution 1584 (2005) and, as appropriate, with the United Nations Mission in Liberia (UNMIL), the United Nations Mission in Sierra Leone (UNAMSIL) and Governments concerned, including by inspecting, as they deem it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire,

(n) To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate,

Support for humanitarian assistance

(o) To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by helping to establish the necessary security conditions and taking into account the special needs of vulnerable groups, especially women, children and elderly people,

Support for the redeployment of State administration

(p) To facilitate, with the assistance of the African Union, ECOWAS and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire which is essential for the social and economic recovery of the country,

Support for the organization of open, free, fair and transparent elections

(q) To provide all necessary technical assistance to the Government of National Reconciliation, the Independent Electoral Commission and other relevant agencies or institutes, with the support of the African Union, ECOWAS and other international partners, for the organization of open, free, fair and transparent presidential and legislative elections within the time frames envisaged in the Constitution of the Republic of Côte d'Ivoire,

(r) To provide technical information, advice and assistance as appropriate to the High Representative referred to in paragraph 7 of resolution 1603 (2005) of 3 June 2005,

(s) To contribute, within its capabilities and its areas of deployment, to the security of the areas where voting is to take place,

Assistance in the field of human rights

(t) To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against children and women, to monitor and help investigate human rights violations with a view to ending impunity, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard,

Public information

(u) To promote understanding of the peace process and the role of UNOCI among local communities and the parties, through the Mission's public information capacity, including its radio broadcasting capability,

(v) To monitor the Ivorian mass media, in particular with regard to any incidents of incitement by the media to hatred, intolerance and violence, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of the situation in this regard,

Law and order

(w) To assist the Government of National Reconciliation in conjunction with the African Union, ECOWAS and other international organizations in restoring a civilian policing presence throughout Côte d'Ivoire, to advise the Government of National Reconciliation on the restructuring of the internal security services, and to assist the Ivorian parties with the implementation of temporary and interim security measures in the northern part of the country, as provided for in paragraph 6 of the Pretoria Agreement,

(x) To assist the Government of National Reconciliation in conjunction with the African Union, ECOWAS and other international organizations in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

3. *Authorizes*, for the period specified in paragraph 1 above, an increase in the military component of UNOCI of up to 850 additional personnel as well as an increase in the civilian police component of up to a ceiling of 725 civilian police personnel, including three formed police units, and the necessary additional civilian personnel;

4. *Authorizes* the Secretary-General to take all the necessary steps in order to implement as appropriate relevant measures envisaged in paragraphs 19 to 23 and in paragraph 76 (b) through (e) of his report on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra Leone (UNAMSIL), the United Nations Mission in Liberia (UNMIL) and the United Nations Operation in Côte d'Ivoire dated 2 March 2005 (S/2005/135), subject to the agreements of the troop-contributing countries and, where relevant, of the governments concerned and without prejudice to the performance of the mandates of these United Nations missions;

5. *Requests* the Secretary-General to seek the agreement of the countries contributing military and civilian police personnel to UNMIL, UNAMSIL and UNOCI to redeploy such personnel as may be needed on a temporary basis to

reinforce another of the above three missions, as appropriate, taking account of the need to ensure effective performance of the current mandates of those missions;

6. *Authorizes*, subject to the necessary prior steps referred to in paragraphs 4 and 5 above, including the agreements of the troop-contributing countries and, where relevant, the governments concerned, the temporary redeployment of military and civilian police personnel among UNMIL, UNAMSIL and UNOCI to deal with challenges which cannot be handled within the authorized personnel ceiling of a given mission, subject to the following conditions:

(a) The Secretary-General shall inform the Security Council in advance of his intention to make such a redeployment, including its scope and duration, with the understanding that the implementation of the above-mentioned reinforcement will require a corresponding decision of the Security Council,

(b) Any forces redeployed shall continue to be counted against the authorized ceiling on military and civilian personnel of the mission from which they are being transferred and shall not count against the ceiling of the mission to which they are being transferred,

(c) Any such transfer shall not result in any increase in the total combined ceilings on military and civilian personnel deployed in UNOCI, UNAMSIL and UNMIL determined by the Security Council in the respective mandates of the three missions,

(d) Any such transfer shall not have the effect of extending the deployment period of personnel deployed under the mandate of their original mission, unless the Security Council decides otherwise;

7. *Decides* to review the troop level of UNOCI by 31 December 2005, including the civilian police component, in the light of the situation in Côte d'Ivoire after the forthcoming general elections and on the basis of the tasks remaining to be carried out, with a view to further reduction as appropriate;

8. *Authorizes* UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

9. *Requests* UNOCI to carry out its mandate in close liaison with the United Nations missions in Sierra Leone and in Liberia, including especially in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes;

10. *Underlines* the importance of mainstreaming the gender perspective in peacekeeping operations and post-conflict peacebuilding and of appropriate expertise in this regard, and *encourages* UNOCI to actively address this issue;

11. *Welcomes* the efforts undertaken by UNOCI to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, *requests* the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and *urges* troop-contributing countries to take appropriate preventive action including the conduct of pre-deployment awareness training, and to take disciplinary action and other action to ensure that such acts are properly investigated and punished in cases involving their personnel;

12. *Authorizes* from the date of adoption of this resolution the French forces to use all necessary means in order to support UNOCI in accordance with the agreement reached between UNOCI and the French authorities, and in particular to:

- Contribute to the general security of the area of activity of the international forces,
- Intervene at the request of UNOCI in support of its elements whose security may be threatened,
- In consultation with UNOCI, intervene against belligerent actions, if the security conditions so require, outside UNOCI's areas of deployment,
- Help to protect civilians, in the deployment areas of their units,
- Contribute to monitoring the arms embargo established by resolution 1572 (2004) in accordance with paragraphs 2 and 3 of resolution 1584 (2005);

13. *Decides* to remain actively seized of the matter.